



U.S. Department of Justice

United States Attorney

Eastern District of Pennsylvania

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NEWS RELEASE

Acting United States Attorney Laurie Magid today announced the filing of an indictment¹ against Harvey Penn and Mikhail Elam, charging each with conspiracy and possession with intent to distribute oxycodone. From about January 16, 2007 through about October 6, 2008, Elam provided approximately 2,084 false and fraudulent prescriptions for a total of approximately 245,620 Percocet and OxyContin pills which were filled at a local pharmacy by Penn and others and subsequently sold on the street.

Defendant Penn faces a maximum sentence of 60 years imprisonment, six years to lifetime of supervised release, a \$4 million fine, and a \$200 special assessment, and forfeiture.

Defendant Elam faces a maximum sentence of 40 years imprisonment, three years to a lifetime of supervised release, a \$2 million fine, and a \$200 special assessment, and forfeiture.

INFORMATION REGARDING THE DEFENDANTS

NAME	ADDRESS	AGE
HARVEY PENN	Drexel Hill, PA	59 years old
MIKHAIL ELAM	Darby, PA	28 years old

The case was investigated by the Federal Bureau of Investigation and the Drug Enforcement Administration Diversion Group and is being prosecuted by Assistant United States Attorney Ewald Zittlau.

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¹ An Indictment is an accusation. A defendant is presumed innocent unless and until proven guilty.

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